

Appl. No.: 10/085798
Amtd. Dated: May 11, 2004
Reply to Office Action of: March 1, 2004

Claims 18 and 19 are canceled without prejudice.

Claim 20 has been amended to depend from new independent Claim 39.

New Claim 39 requires that at the operating wavelength each mode has a group time delay and all of the group time delays are all negative with respect to the lowest order mode (LP₀₁ mode). Applicants submit that Figure 2 of Golowich et al. does not disclose or even suggest group time delays that are all negative with respect to the lowest order mode, or LP₀₁ mode, or PMN=1.

2. Allowable Subject Matter

Applicants thank the Examiner for the indication that Claims 1-17 and 32-28 are allowed.

3. Claim Objections

Claims 21-24 were objected to and the Patent Office indicated that these claims would be allowable if rewritten in independent form including the limitations of the base claim and any intervening claims.

New independent Claim 40 includes the features and/or limitations of originally filed Claims 18 and 21. The dependency of Claim 22 has been amended to now depend from Claim 40. New independent Claim 41 includes the features and/or limitations of originally filed Claims 18 and 23. New independent Claim 42 includes the features and/or limitations of originally filed Claims 18 and 24.

Applicants submit that the claims have been appropriately corrected and requests removal of the objection.

4. Conclusion

Based upon the above amendments, remarks, and papers of records, applicant believes the pending claims of the above-captioned application are in allowable form and patentable over the prior art of record. Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Applicants believe that no extension of time is necessary to make this Reply timely. Should Applicants be in error, Applicants respectfully request that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Reply timely, and hereby authorize the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.